

## Department of Planning and Zoning

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**TO:** Development Review Board  
**FROM:** Ken Lerner  
**DATE:** May 19, 2015  
**RE:** 15-1009SD; 1 Summit Ridge

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**Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.**

Zone: RL      Ward: 6

Owner/Representative: Anita & Sanjay Sathe

**Request:** Combined preliminary & final plat review of 3-lot subdivision; no development included.

### **Applicable Regulations:**

Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 10 (Subdivision Review)

### **Background Information:**

The applicant is seeking combined preliminary and final plat approval to subdivide an existing lot into three lots. The property contains one single family home. The subdivision would result in two new vacant building lots and the remaining lot with the existing home.

Previous zoning action for this property is ZP 00-525 for renovations to the existing single family house.

**Recommendation:** Consent Approval as per, and subject to, the findings and conditions below:

### **I. Findings**

#### **Article 3: Applications and Reviews**

#### **Part 5, Conditional Use & Major Impact Review:**

#### **Sec. 3.5.6, Review Criteria**

##### **(a) Conditional Use Review Standards**

##### **1. The capacity of existing or planned community facilities;**

No development is included in this proposal. The two new lots will be served by public sewer and water if developed in the future. Sufficient reserve capacity is available. **(Affirmative finding)**

##### **2. The character of the area affected;**

Summit Ridge within a neighborhood mainly comprised of single family homes. The proposed subdivision would enable the construction of two more homes. **(Affirmative finding)**

*3. Traffic on roads and highways in the vicinity;*  
Not applicable.

*4. Bylaws then in effect;*  
As conditioned, the project complies with all applicable bylaws. **(Affirmative finding)**

*5. Utilization of renewable energy resources;*  
Not applicable.

*6. Cumulative impacts of the proposed use;*  
Not applicable.

*7. Functional family;*  
Not applicable.

*8. Vehicular access points;*  
Both proposed new vacant lots front on South Willard Street, with one lot being a corner lot at South Willard and Cliff Street. Access to these lots will most likely be from South Willard.  
**(Affirmative finding)**

*9. Signs;*  
Not applicable.

*10. Mitigation measures;*  
Not applicable.

*11. Time limits for construction;*  
Not applicable.

*12. Hours of operation and construction;*  
Not applicable.

*13. Future enlargement or alterations;*  
Not applicable.

*14. Performance standards;*  
Not applicable.

*15. Conditions and safeguards;*  
Approval of this project will be conditioned to implement the purposes of the zoning regulations.  
**(Affirmative finding)**

#### **Article 4: Maps & Districts**

##### ***Sec. 4.4.5, Residential Districts:***

###### ***(a) Purpose***

***(1) Residential Low Density (RL)***

The subject property is located in the RL zone, which is intended primarily for single family homes and duplexes. Except for the subdivision itself, no development is included. The proposed vacant lots would be large enough for each to contain a single family home. Note that duplexes could not be developed on the new lots as per Appendix A, Footnote 2 that limits duplexes to 10,000 sq. ft. lots existing as of January 1, 2007; the new lots are being created in 2015.

**(Affirmative finding)**

***(b) Dimensional Standards & Density***

The minimum lot size in the RL zone is 6,000 sf. All of the lots would exceed this minimum lot size.

All lots will have more than 60' of road frontage, the minimum required.

The proposed subdivision will only affect the western side yard setback for the existing home. As proposed, the home must remain at least 14.85' away from this newly formed boundary line; it will be 63 feet away.

Lot coverage on the remaining parcel with the existing home is 24.2%. There is no lot coverage on the new vacant lot. Maximum coverage is 35% plus 10% for unenclosed amenity features.

Building height is not applicable to this proposal.

The resultant 0.48, 0.41 and 0.37 acre lots are sufficiently large enough for single unit density (7.0 units/acre in RL zone. **(Affirmative finding)**

***(c) Permitted & Conditional Uses***

No development is included in this proposal. A single family home may be allowed on each of the vacant lots under separate permits. Note that duplexes could not be developed on the new lots as per Appendix A, Footnote 2 that limits duplexes to 10,000 sq. ft. lots existing as of January 1, 2007; the new lots are being created in 2015. **(Affirmative finding)**

***(d) District Specific Regulations***

***1. Setbacks***

**A. Encroachment for Residential Driveways**

Not applicable.

**B. Encroachment into the Waterfront Setback**

Not applicable.

***2. Height***

**A. Exceptions in the Waterfront RM District**

Not applicable.

***3. Lot Coverage***

**A. Exceptions for Accessory Residential Features**

Not applicable.

***4. Accessory Residential Structures and Uses***

Not applicable.

***5. Residential Density***

Not applicable.

***6. Uses***

Not applicable.

***7. Residential Development Bonuses***

Not applicable.

**Article 5: Citywide General Regulations**

***Sec. 5.2.3, Lot Coverage Requirements***

See Sec. 4.4.5 (b) above.

***Sec. 5.2.4, Buildable Area Calculation***

Not applicable. Existing lot is 54,710 sq. ft. (less than 2.0 acres).

***Sec. 5.2.5, Setbacks***

See Sec. 4.4.5 (b) above.

***Sec. 5.2.6, Building Height Limits***

See Sec. 4.4.5 (b) above.

***Sec. 5.2.7, Density and Intensity of Development Calculations***

See Sec. 4.4.5 (b) above.

***Sec. 5.5.1, Nuisance Regulations***

Nothing in the proposal appears to constitute a nuisance under this criterion. **(Affirmative finding)**

***Sec. 5.5.2, Outdoor Lighting***

Not applicable.

***Sec. 5.5.3, Stormwater and Erosion Control***

Not applicable for the subdivision. Once lots developed erosion control plans would be necessary.

**Article 6: Development Review Standards:**

***Part 1, Land Division Design Standards***

***Sec. 6.1.2, Review Standards***

***(a) Protection of important natural features***

The subdivision itself will have no impact on important natural features. There are some trees along the rear of the new lots but they are not proposed to be disturbed as this request is for subdivision purposes only. **(Affirmative finding)**

***(b) Block size and arrangement***

Not applicable.

*(c) Arrangement of Lots*

The proposed subdivision will split the existing lot in three and will result in two lots to the west of the existing lot. The new lots will front on South Willard Street. Lot sizes in this neighborhood vary widely. The sizes of the proposed lots while large are within the range of lot sizes in this area. **(Affirmative finding)**

*(d) Connectivity of streets within the city street grid*

Not applicable.

*(e) Connectivity of sidewalks, trails, and natural systems*

Not applicable.

## **Article 10: Subdivision Review**

### ***Sec. 10.1.7, Combined Preliminary and Final Plat***

*For subdivisions that will create fewer than five (5) lots or dwelling units, and are not otherwise subject to consideration under Major Impact Review pursuant to the provisions of Article 3, Part 5 or Planned Unit Development pursuant to the provisions of Article 11, the applicant may request, and the DRB may authorize the hearings on preliminary and final subdivision plats to be combined into a single public hearing.*

*In such cases, the submission requirements for final subdivision plats pursuant to Sec. 10.1.9 shall be met at the time of application, and decisions by the DRB shall be based on the project's conformance with the review criteria for both preliminary (Sec. 10.1.8(d)) and final plats (Sec. 10.1.9(d)).*

The proposed subdivision is for three lots, with two new lots being created and thus qualifies to be considered in a combined hearing. **(Affirmative finding)**

### ***Sec. 10.1.9, Final Plat Review***

#### ***(a) Final Plat and Construction Detail Submission Requirements***

##### ***6. Final Plat Specifications***

This criterion requires that the final plat plan be drawn at a scale of 1" = 40'. The plans are drawn at 1" = 30' and needs to be revised accordingly. **(Affirmative finding as conditioned)**

#### ***(d) Review Criteria***

*1. The requirements of the underlying zoning district(s) and all applicable overlay district(s) as set forth in Article 4*

See Article 4 of these findings.

*2. The review criteria for Conditional Use and Major Impact in Article 3, Part 5 where applicable*  
See Article 3 of these findings.

*3. The requirements of Article 5 with regard to Special Uses and Performance Standards as applicable*

See Article 5 of these findings.

*4. The land division and site development principles and design standards in Article 6.*

See Article 6 of these findings.

***Sec. 10.1.11, Recording of Final Plats***

***(a) Certifications and Endorsement***

Prior to recording the mylar plat plan, all of the required endorsement blocks must be depicted on the plan itself and signed by the appropriate individuals. **(Affirmative finding as conditioned)**

**II. Conditions of Approval**

1. Within 180 days of the date of final approval, the subdivision plat mylar, with all applicable endorsement signatures, shall be filed with the City Clerk per Sec. 10.1.11 of the Comprehensive Development Ordinance. Failure to do so shall render void the final plat approval.
2. Prior to filing the mylar in the city land records, the subdivision plat shall be revised to reflect the following:
  - a. Revision of scale to 1" = 40';
  - b. Obtain signatures for all certifications and endorsements required under Sec. 10.1.11 (a) of the Comprehensive Development Ordinance.
3. No construction related development is included in this approval. Impact fees will be assessed upon issuance of permits for development on the vacant lots.
4. Standard permit conditions 1-15.